



Department of
**General
Services**



**Construction
Management and
Design-Build – 2017
Legislative Action**



Procedures

Procurement



CODE SECTIONS

Legislative Action –

Chapters 699/704 (HB2366/SB1129)

Moves CM and DB procurement law from
VPPA to its own section of the Code of
Virginia §2.2-43.1 (§2.2-4378 – 4383)



WHO IS AFFECTED?

- Covered Institutions
- State Public Bodies
- Local Governments



WHO IS AFFECTED?

Covered Institutions:

- Public institutions of higher education operating:
 - Subject to a Management Agreement
 - Subject to a Memorandum of Understanding
 - Under the pilot program authorized in the appropriation act



WHO IS AFFECTED?

State Public Bodies:

- Any authority, board, department, instrumentality, agency, or other unit of state government not including any covered institution, county, city, town, or local or regional governmental authority.



COVERED INSTITUTIONS - PROCEDURES

- Covered Institutions submit proposed procedures for Design-Build and Construction Management at Risk to DGS.
- DGS will review & make recommendations to the institution.
- Institutions submit procedures adopted by the Board of Visitors to DGS for its records and for use in project procurement reviews.
- Effective July 1st – No new project may be initiated utilizing CM@R or D-B until new procedures are approved by governing Board.



STATE PUBLIC BODIES- PROCEDURES

- CM Procedures checklist DB checklist and DGS Policy
- Follow DGS Policy

[CM@R](#)
[Checklist](#)

[D-B](#)
[Checklist](#)

[DGS Policy](#)
[CM@R](#)

[DGS Policy](#)
[D-B](#)



COVERED INSTITUTIONS AND STATE PUBLIC BODIES - PROCUREMENT

DGS Review Of Proposed CM & DB Procurements

- Regardless of fund source
- Includes state chartered authorities, boards, and commissions.



CM & DB PROCUREMENT REVIEW & RECOMMENDATION

Utilize DGS submittal forms for review:

- Construction Management at Risk: DGS-30-456
- Design-Build: DGS-30-471

[CM @ R](#)

[D-B](#)

Submit to capout@dgs.virginia.gov



WHAT IS COMPLEX?

Complex Project: a construction project that includes one or more of the following significant components:

- difficult site location,
- unique equipment,
- specialized building systems,
- multifaceted program,
- accelerated schedule,
- historic designation,
- or intricate phasing
- or some other aspect that makes competitive sealed bidding not practical.



KEY THINGS TO REMEMBER

- DGS recommendations must be placed in project file.
- Agency must report the procurement method actually utilized.
- All information is public record and will be posted on DEB website.



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Reporting



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WHO IS AFFECTED?

ALL PUBLIC BODIES:

- Covered Institutions
- State Public Bodies
- Local Governments



WHO IS AFFECTED?

Public Body:

Any legislative, executive or judicial body, agency, office, department, authority, post, commission, committee, institution, board or political subdivision created by law to exercise some sovereign power or to perform some governmental duty, and empowered by law to undertake the activities described in this chapter. "Public body" shall include:

- any independent agency of the Commonwealth, and
- any metropolitan planning organization or planning district commission which operates exclusively within the Commonwealth of Virginia.



REPORTING REQUIREMENTS

- Two reporting requirements
- DGS Reports data from our review of State Public Bodies & Covered Institution Procurements
- DGS compiles annual report from data reported by all Public Bodies



ANNUAL REPORTING BY ALL PUBLIC BODIES TO DGS

For Completed Capital Projects where:

- Total construction cost is over \$2M
- RFQ issued after July 1, 2017



DATA REPORTED BY PUBLIC BODIES TO DGS

(CONTINUED)

Must Report:

- Procurement Method Utilized
- Construction Budget
- Actual Construction Cost
- Expected Timeline
- Actual Construction Time
- Any Post Project Issues



HOW AND WHEN TO REPORT

- By November 1ST of Each Year
- Projects Completed The Previous Fiscal Year
(July 1 – June 30)
- Reporting will be through eVA similar to the Construction Procurement Survey

[eVA](#)



CONSTRUCTION MANAGEMENT AND DESIGN-BUILD – 2017 LEGISLATIVE ACTION



ALMOST



EXISTING REPORTING REQUIREMENTS FOR STATE AGENCIES AND COVERED INSTITUTIONS

State Public Bodies and Covered Institutions:

- For projects with an RFQ issued prior to July 1, 2017, report data per § 4-4.01.y.4 of the Appropriation Act by November 1, 2017 for projects authorized for construction in Chapter 665(2015) or later.



That's all Folks!